

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AKEENA SOLAR INC,

Plaintiff,

v.

ZEP SOLAR INC.,

Defendants.

No. C 09-05040 JSW

**ORDER (1) RESERVING RULING
ON DEFENDANT'S MOTION TO
STAY AND (2) VACATING CASE
MANAGEMENT CONFERENCE**

The Court has received the United States Patent and Trademark Office's ("PTO") Decision *Sua Sponte Vacating Inter Partes* Reexamination Filing Date. In light of this decision, the Court reserves ruling on Defendant's Motion to Stay until the PTO either provides a new filing date for Defendant Zep Solar, Inc. request for reexamination or makes a final decision not to provide a new filing date. The parties shall inform the Court of any further action by the PTO within five days of such action.

The Court FURTHER ORDERS that the case management conference scheduled for April 9, 2010 is VACATED and will be reset by the Court if necessary.

IT IS SO ORDERED.

Dated: April 2, 2010


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE